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Attorneys for Plaintiff,  
CLIFFORD COOK

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CLIFFORD COOK,

Plaintiff,

v.

CITY AND COUNTY OF SAN FRANCISCO,  
et al.

Defendants.

Case No.: C 07 2569 CRB

**PLAINTIFF'S NOTICE OF MOTION  
AND MOTION TO AMEND THE  
COMPLAINT, OR IN THE  
ALTERNATIVE, MOTION TO DISMISS  
TWO CLAIMS WITHOUT PREJUDICE**

**Date:** July 25, 2008

**Time:** 10:00 a.m.

**Place:** Courtroom 8, 19<sup>th</sup> Fl.

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:** Please take notice that on July 25, 2008 at 10:00 a.m., before Judge Charles R. Breyer in courtroom 8, 19<sup>th</sup> Floor of the United States District Court, Northern District, Plaintiff Clifford Cook will move, and hereby does move, for leave to file an amended complaint, or in the alternative, motion to dismiss two claims without prejudice. That motion will be made on the basis of the memorandum of points and authorities, the Declaration of John Houston Scott and argument of counsel at the hearing and the pleadings on file.

**DATED:** June 18, 2008

**SCOTT LAW FIRM**

By: /s/  
JOHN HOUSTON SCOTT  
Attorney for Plaintiff